Consumer Protection Act

2605. SHRI P. PRABHAKAR REDDY: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether Government's attention has been drawn to the newsreport captioned "sting off consumer law" as appeared in the 'Telegraph' dated 5th July, 2001;

(b) if so, Government's reaction thereto;

(c) what measures are proposed to be taken in this regard; and

(d) whether Government would revise the amendments proposed in the Consumer Protection Act to make it effective and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI V. SREENIVASA PRASAD): (a) Yes, Sir.

(b) and (c) The proposed amendment of section 3 of the Consumer Protection Act 1986, to exclude claims in respect of which corresponding remedies of judicial nature are available under any special law, for the time being in force, is intended to bring clarity and prevent conflict of jurisdiction with other statutes while at the same time ensuring that redressal is available to the consumer for complaints against defective goods or deficient services.

An enabling provision for the payment along with the complaint of such amount of fee as may be prescribed in the Rules, has been included in the proposed amendments to the Consumer Protection Act, 1986 essentially to discourage the filing of frivolous complaints and also to cover part of the expenses on service of notice, etc.

(d) Amendments to the Consumer Protection Act, 1986 have been proposed after the deliberation and discussion with all concerned to make the Act more effective and purposeful.

Modified Public Distribution System

2606. SHRI NARENDRA MOHAN: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that the Planning Commission has shown its dissatisfaction with the present Public Distribution System where the subsidy amount in the preceding year was around Rs.12,500 crores;

(b) if so, whether the State Governments are not very enthusiastic about this scheme as shown by poor off-take by the States and even poorer actual lifting by the Below Poverty Line families;

(c) in view of the above whether any modified Public Distribution System is proposed to be launched whereby active co-operation of the State Government would be ensured; and

(d) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHRIRAM CHAUHAN): (a) to (d) Planning Commission in its mid term appraisal of the 9th Five Year Plan has made some recommendations on PDS. The recommendations, *inter alia*, state that the coverage of TPDS and food subsidy should be restricted to the population below poverty line, items other than rice and wheat need to be excluded from TPDS, sugar supply through PDS draws well-to-do families to the system and ration cards have tended to be used as identity cards to establish people's identity which should be discouraged.

The introduction of TPDS in June 1997 with its focus on the poor was a step in this direction. From 1.4.2000 the subsidy on foodgrains for APL families was eliminated while availability of foodgrains was ensured for them. However, in view of excess stocks in Central Pool, a discount of 30% of the economic cost has been given for APL families w.e.f. 12.7.2001. With effect from 1.4.2000 the BPL quota of foodgrains was doubled from 10Kg. to 20 Kg. per family per month at 50% of economic cost. Though after this increase in the prices of the BPL foodgrains the offtake of wheat and rice has not increased in proportion to doubling of the allocations, there has been an overall increase in the offtake.

With regard to levy sugar, the allocation under PDS has been restricted to only BPL families except in case of NE Region, island territories and hill States w.e.f. 1.2.2001. State Governments/UT Administrations have been advised to discourage the use of ration cards as documents of identity and to allow its use only for drawing PDS items.

Lifting of foodgrains by the State Governments

2607. SHRI SOLIPETA RAMACHANDRA REDDY: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that the State Governments have lifted insufficient foodgrains from the godowns;

(b) if so, the allotment of foodgrains and the quantity thereof lifted by them during the current year, State-wise;

(c) whether it is also a fact that due to non offtake of foodgrains, there are starvation like conditions in the States, if so, State-wise details thereof; and

(d) whether Government have issued necessary advice to the State Governments to offtake full quantity of the foodgrains to meet requirements of the public, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHRIRAM CHAUHAN): (a) and (b) The lifting of foodgrains and its distribution under Targeted Public Distribution System (TPDS) depends on several factors such as parity between the issue prices of foodgrains